

SENATE, No. 1281

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED FEBRUARY 3, 2022

Sponsored by:
Senator JAMES W. HOLZAPFEL
District 10 (Ocean)

SYNOPSIS

Prohibits the imposition of affordable housing need and related fees upon the local transfer or move of a business.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning affordable housing obligations and
2 supplementing P.L.1985, c.222 (C.52:27D-301 et al.).
3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*
6

7 1. a. Notwithstanding any regulation of the Council on
8 Affordable Housing to the contrary, the council shall not adopt as a
9 part of its methodology in calculating the fair share obligation of
10 any municipality pursuant to the "Fair Housing Act," P.L.1985,
11 c.222 (C.52:27D-301 et al), a requirement that affordable housing
12 need is generated upon the move or transfer of any commercial or
13 industrial entity from one location to another location within the
14 same municipality, or within the same housing region, or upon a
15 move or transfer of the entity within a 50 mile radius extending in
16 all directions from the initial location of the entity.

17 b. A municipality shall not impose a fee for affordable housing
18 purposes upon a developer meeting the criteria of subsection a. of
19 this section.
20

21 2. This act shall take effect immediately.
22
23

24 STATEMENT
25

26 This bill prohibits the Council on Affordable Housing from
27 adopting a regulation which would generate affordable housing
28 need for a municipality upon the event of a commercial or industrial
29 entity moving or relocating within the municipality, or within the
30 same housing region of the municipality, or within a 50 mile radius
31 extending in all directions from the initial location of the entity.
32 Municipalities are prohibited from imposing a fee for affordable
33 housing purposes upon a developer meeting the criteria set forth in
34 the bill.